

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicant(s): Michl et al.

Examiner: Unassigned

Serial No.: 10/542,239

Group: Unassigned

Filed: July 15, 2005

Docket: 1181-8 PCT US

Corresponding to:

Dated: February 28, 2006

International Patent Application

PCT/US2004/001196

International Filing Date: 16 January 2004

**For: PANCREATIC CANCER ASSOCIATED
ANTIGEN, ANTIBODY THERETO, AND
DIAGNOSTIC AND TREATMENT METHODS**

BOX MISSING PARTS

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING
REQUIREMENTS UNDER 35 U.S.C. §371**

Sir:

In response to the Notice to File Missing Requirements, Filing Date Granted,
dated December 30, 2005, for the above identified patent application, Applicants submit
the following:

an executed Combined Declaration and Power of Attorney by the inventors;

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service, as first class mail, postpaid in an envelope, addressed to the: BOX MISSING PARTS Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on February 28, 2006.

Dated: February 28, 2006


Ann R. Pokalsky

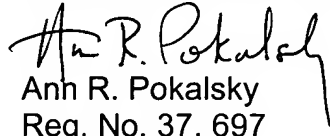
a copy of the Notification of Missing Requirements under 35 U.S.C. §371;
paper copy of Sequence Listing;
computer readable form of Sequence Listing;
statement under 37 C.F.R. §1.821 (f) and (g); and
amendment directing entry of Sequence Listing into application.

It is believed that no other fees will be incurred as a result of this response.

However, please charge any deficiency or credit any overpayment of such fees to deposit account 04-1121. Also in the event that any extensions of time are required for this response, please treat this paper as a petition to extend the time as required and charge deposit account no. 04-1121 therefore. **TWO COPIES OF THIS SHEET ARE ENCLOSED.**

DILWORTH & BARRESE
333 Earle Ovington Blvd.
Uniondale, NY 11553
(516) 228-8484

Respectfully submitted,

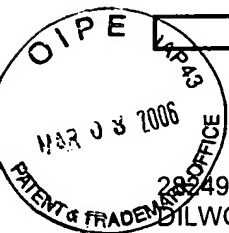

Ann R. Pokalsky
Reg. No. 37, 697
Attorney for Applicant(s)



Rec'd PCT/ 03 MAR 2006

UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO.

10/542,239

FIRST NAMED APPLICANT

Josef Michl

ATTY. DOCKET NO.

1181-8 PCT US

INTERNATIONAL APPLICATION NO.

PCT/US04/01196

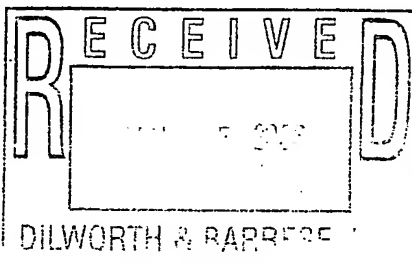
I.A. FILING DATE

01/16/2004

PRIORITY DATE

01/17/2003

DILWORTH & BARRESE, LLP
333 EARLE OVINGTON BLVD.
UNIONDALE, NY 11553



CONFIRMATION NO. 8607

371 FORMALITIES LETTER



OC000000017738783

Date Mailed: 12/30/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 07/15/2005
- Copy of the International Search Report filed on 07/15/2005
- Preliminary Amendments filed on 07/15/2005
- Information Disclosure Statements filed on 10/17/2005
- Biochemical Sequence Diskette filed on 07/15/2005
- Oath or Declaration filed on 07/15/2005
- Biochemical Sequence Listing filed on 07/15/2005
- Small Entity Statement filed on 07/15/2005
- U.S. Basic National Fees filed on 07/15/2005
- Priority Documents filed on 07/15/2005
- Specification filed on 07/15/2005
- Claims filed on 07/15/2005
- Abstracts filed on 07/15/2005
- Drawings filed on 07/15/2005

DOCKET

PAPER

DUE DATE

ATTORNEY

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of

the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DARRELL C COTTMAN

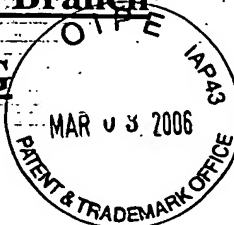
Telephone: (703) 308-9140 EXT 203

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/542,239	PCT/US04/01196	1181-8 PCT US

STIC Biotechnology Systems Branch

RAW SEQUENCE LISTING
ERROR REPORT



The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: 10/542,239

Source: PCT

Date Processed by STIC: 07/25/2005

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.

PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:

- 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,
- 2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY

FOR CRF SUBMISSION AND PATENTIN SOFTWARE QUESTIONS, PLEASE CONTACT MARK SPENCER, TELEPHONE: 571-272-2510; FAX: 571-273-0221

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE CHECKER VERSION 4.2.2 PROGRAM, ACCESSIBLE THROUGH THE U.S. PATENT AND TRADEMARK OFFICE WEBSITE. SEE BELOW FOR ADDRESS:

<http://www.uspto.gov/web/offices/pac/checker/chkrnote.htm>

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail.

Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom.

Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

1. EFS-Bio (<<http://www.uspto.gov/ebc/efs/downloads/documents.htm>> , EFS Submission User Manual - ePAVE)
2. U.S. Postal Service: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
3. Hand Carry, Federal Express, United Parcel Service, or other delivery service (EFFECTIVE 01/14/05):
U.S. Patent and Trademark Office, Mail Stop Sequence, Customer Window, Randolph Building, 401 Dulany Street, Alexandria, VA 22314

Revised 01/24/05

Sequence Listing Error Summary

SERIAL NUMBER: 10/542,239

ERROR DETECTED

SUGGESTED CORRECTION

ATTN: NEW RULES CASES. PLEASE DISREGARD ENGLISH "ALPHA" HEADERS, WHICH WERE INSERTED BY PTO SOFTWARE

1. Wrapped Nucleics
Wrapped Aminos The number/text at the end of each line "wrapped" down to the next line. This may occur if your file was retrieved in a word processor after creating it. Please adjust your right margin to 3; this will prevent "wrapping"

2. Invalid Line Length The rules require that a line not exceed 72 characters in length. This includes white spaces.

3. Misaligned Amino Numbering The numbering under each 5th amino acid is misaligned. Do not use tab codes between numbers; use space characters, instead.

4. Non-ASCII The submitted file was not saved in ASCII(DOS) text, as required by the Sequence Rules. Please ensure your subsequent submission is saved in ASCII text.

5. Variable Length Sequence(s) contain n's or Xaa's representing more than one residue. Per Sequence Rules, each n or Xaa can only represent a single residue. Please present the maximum number of each residue having variable length and indicate in the <220>-<223> section that some may be missing.

6. PatentIn 2.0 "bug" A "bug" in PatentIn version 2.0 has caused the <220>-<223> section to be missing from amino acid sequences(s). Normally, PatentIn would automatically generate this section from the previously coded nucleic acid sequence. Please manually copy the relevant <220>-<223> section to the subsequent amino acid sequence. This applies to the mandatory <220>-<223> sections for Artificial or Unknown sequences.

7. Skipped Sequences (OLD RULES) Sequence(s) missing. If intentional, please insert the following lines for each skipped sequence:
(2) INFORMATION FOR SEQ ID NO:X: (insert SEQ ID NO where "X" is shown)
(i) SEQUENCE CHARACTERISTICS: (Do not insert any subheadings under this heading)
(xi) SEQUENCE DESCRIPTION: SEQ ID NO:X: (insert SEQ ID NO where "X" is shown)
This sequence is intentionally skipped

Please also adjust the "(ii) NUMBER OF SEQUENCES:" response to include the skipped sequences.

8. Skipped Sequences (NEW RULES) Sequence(s) missing. If intentional, please insert the following lines for each skipped sequence.
<210> sequence id number
<400> sequence id number
000

9. Use of n's or Xaa's (NEW RULES) Use of n's and/or Xaa's have been detected in the Sequence Listing.
Per 1.823 of Sequence Rules, use of <220>-<223> is MANDATORY if n's or Xaa's are present. In <220> to <223> section, please explain location of n or Xaa, and which residue n or Xaa represents.

10. Invalid <213> Response Per 1.823 of Sequence Rules, the only valid <213> responses are: Unknown, Artificial Sequence, or scientific name (Genus/species). <220>-<223> section is required when <213> response is Unknown or is Artificial Sequence

11. Use of <220> Sequence(s) missing the <220> "Feature" and associated numeric identifiers and responses. Use of <220> to <223> is MANDATORY if <213> "Organism" response is "Artificial Sequence" or "Unknown". Please explain source of genetic material in <220> to <223> section.
(See "Federal Register," 06/01/1998, Vol. 63, No. 104, pp. 29631-32) (Sec. 1.823 of Sequence Rules)

12. PatentIn 2.0 "bug"

Please do not use "Copy to Disk" function of PatentIn version 2.0. This causes a corrupted file, resulting in missing mandatory numeric identifiers and responses (as indicated on raw sequence listing). Instead, please use "File Manager" or any other manual means to copy file to floppy disk.

13. Misuse of n/Xaa

"n" can only represent a single nucleotide; "Xaa" can only represent a single amino acid

AMC - Biotechnology Systems Branch - 09/09/2003

BEST AVAILABLE COPY

RAW SEQUENCE LISTING

PATENT APPLICATION: US/10/542,239

DATE: 07/25/2005

TIME: 11:54:35

Input Set : A:\1181-8 PCT US.SeqList.txt

Output Set: N:\CRF4\07252005\J542239.raw

69 <211> LENGTH: 17
70 <212> TYPE: PRT
71 <213> ORGANISM: Artificial sequence
73 <220> FEATURE:
74 <223> OTHER INFORMATION: peptide
76 <400> SEQUENCE: 4
78 Lys Lys Trp Lys Met Arg Arg Asn Gln Phe Trp Val Lys Val Gln Arg
79 1 5 10 15
82 Gly
86 <210> SEQ ID NO: 5
87 <211> LENGTH: 62
88 <212> TYPE: DNA
89 <213> ORGANISM: Artificial sequence
91 <220> FEATURE:
92 <223> OTHER INFORMATION: primer
94 <400> SEQUENCE: 5
95 atccggtacc aaatggagac cttttctgac ctctggaaac tcctctagaa gcggccgcac 60
97 tc 62
100 <210> SEQ ID NO: 6
101 <211> LENGTH: 62
102 <212> TYPE: DNA
103 <213> ORGANISM: Artificial sequence
105 <220> FEATURE:
106 <223> OTHER INFORMATION: primer
108 <400> SEQUENCE: 6
109 taggccatgg ttacacctg gaaaagactg gagaccttg aggagatctt cgccggcgctg 60
111 ag 62
114 <210> SEQ ID NO: 7
115 <211> LENGTH: 38
116 <212> TYPE: DNA
117 <213> ORGANISM: Artificial sequence
119 <220> FEATURE:
120 <223> OTHER INFORMATION: primer
122 <400> SEQUENCE: 7
123 atccggccca gccggccgag ctctgctgt gcttcgtg 38
126 <210> SEQ ID NO: 8
127 <211> LENGTH: 33
128 <212> TYPE: DNA
129 <213> ORGANISM: Artificial sequence
131 <220> FEATURE:
132 <223> OTHER INFORMATION: primer
134 <400> SEQUENCE: 8
135 atccgcggcc gcagcgcat ttgaaggagg gac 33
138 <210> SEQ ID NO: 9
139 <211> LENGTH: 12
140 <212> TYPE: DNA
141 <213> ORGANISM: Artificial sequence
143 <220> FEATURE:
144 <223> OTHER INFORMATION: primer

*Invalid Response
See glein #11 on
error summary sheet*